

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

**ELIZABETH FINLEY, Individually and
on behalf of the Estate and Wrongful
Death Beneficiaries of Thomas Finley, Jr.,
Deceased**

PLAINTIFF

V.

NO. 3:18-CV-78-DMB-JMV

DAVID DYER, et al.

DEFENDANTS

ORDER COMPELLING DISCOVERY

This matter is before the Court on the motion [153] to compel filed by Plaintiff against Defendant Dyer. The matter has been briefed, and the Court is ready to rule.

The Court finds the authorities relied on by Plaintiff persuasive and, hereby, orders Defendant Dyer to provide Plaintiff's counsel an executed Social Security disability authorization form and copies of any documents in Mr. Dyer's possession or control related to his applications for Social Security disability within two (2) business days of today.

The motion, insofar as it seeks sanctions, is denied at present because it is unclear on this record what (if any) health or related issues may be at play. However, should Defendant Dyer persist in failing to cooperate in discovery by, among other things, failing to provide the executed Social Security disability authorization and related documents in his possession or control (if any) to counsel for Plaintiff as ordered, an in-person hearing will be set to take up the issue of sanctions. Defendant Dyer is forewarned that absent a showing of medical excuse, his continued refusal to participate in discovery will result in the imposition of significant monetary and other sanctions, as deemed appropriate.

SO ORDERED this 29th day of April, 2019.

/s/ Jane M. Virden
U. S. MAGISTRATE JUDGE